

Abstract

The rigorous thesis summarizes “Domestic violence by the criminal law and by the criminological aspects”. The phenomenon of domestic violence is a part of the society since the beginning of time. However, the wider approach has been registered a few decades ago due to the feminist's activism. The comprehension of domestic violence in society has changed and it is considered as a common problem that inquires a complex interdisciplinary cooperation, an intervention and state assistance.

This rigorous thesis consists of six chapters. In the introduction (introductory chapter), there is a description of domestic violence - definition, indications and dynamics. This part explains the general theoretical information about domestic violence that is necessary for understanding the phenomenon, the history of domestic violence and pathway to the adoption of the law that would regulate this problem. Furthermore, I introduce different types of the domestic violence, comparison of domestic violence with so-called stalking.

The criminological part focuses on a violent person and a victim with typology of perpetrator/offender and victim. I specify possible causes that might influence the origin of domestic violence. The aim of this chapter is to summarize basic character features of an offender, who might potentially commit domestic violence and their victims. Closer approach is dedicated to the individual groups of victims: women, men, children, and senior citizens, where I focus on negative consequences of domestic violence for victim's life and the possibilities of its effective defence and assistance.

The crucial part of this thesis analyses domestic violence from the angle of substantive criminal law in the Czech Republic, and potential criminal acts committed by the perpetrator of domestic violence. The deeper attention is dedicated to the crimes of abuse of a person living in a common dwelling, abuse of a person entrusted, rape, and dangerous persecution. The thesis summarizes obligatory and facultative features of basic and qualified facts; moreover, it focuses on contentious concepts that are a problem in their application in practice.

The emphasis is placed on relevant institutes of procedural criminal law and the resources of defence for victim in related extra-criminal regulations. In the last chapter, there is a comparison of Czech and Slovak legal regulations of domestic violence.

In the conclusion, I describe proposals *de lege ferenda* in connection to the domestic violence.